

## U. S. DEFENDS POLICY ON SLACKER LISTS

War Department Expresses Surprise at 'Constant Fire of Drastic Criticism.'

WASHINGTON, May 17.—The War Department issued a statement to-day expressing surprise at the "constant fire of drastic criticism" which followed its action in publishing lists of deserters from the draft as shown by the records.

Despite the urgency of "patriotic societies and the relatives of men who did their full duty and who, in many cases, gave up their lives in the service" that the slacker lists be given out, the statement said, "it is now insisted that the lists never should have been published at all until the department was absolutely convinced that there appeared thereon the name of no man who actually rendered either military or naval service during the world war."

"As a matter of fact," it continued, "the War Department would have been entirely warranted in including in the published lists of men charged with desertion from the draft the name of every registrant who failed to report for military service at the time and place specified in the notice sent to him by his local board, whether or not he subsequently served honorably in the army, navy or Marine Corps of the United States or military forces of the allied Powers. Under the law, every person whose status is that of a deserter from the draft, within the terms of the foregoing definition, is a deserter from the draft, regardless of any subsequent honorable service which he may have rendered."

The department undertook gratuitously to check and recheck the records of the 489,000 men originally carried on the draft deserters' list and reduced the list to approximately 155,000 names, the statement said, and so far only four cases have officially developed where names of men were wrongly carried on the list. The department asserts that in three of these cases the claim is made that the men themselves were at least partly responsible for the error. The four names referred to, all of which have been expunged from the deserter lists, are:

Stanley H. French, Brooklyn. Served in navy as an officer. Gave different addresses to draft board and naval authorities.

Alfred Daniel Brazil, New York. Served in an allied army, but never reported the fact to his local board, the Adjutant-General of his State or the War Department.

Howard P. Millinson, address not given. Inducted and served honorably. Carried on draft deserter lists erroneously.

William Sutherland Bacon, Chicago, commissioned an officer in the army after registering for the draft. Failed to respond to communications sent him by draft authorities and listed as a deserter. Carried on army rolls under a different address than that given draft board and missed in check of lists.

## \$7,000 FINE OR JAIL FOR MRS. BERGDOLL

'Never Will I Pay,' Asserts Mother of Slacker After She Hears Sentence.

Special Despatch to THE NEW YORK HERALD, PHILADELPHIA, May 17.—Mrs. Emma C. Bergdoll was sentenced to pay a fine of \$7,000 by Judge Dickinson in the United States District Court this afternoon for the part she took in the escape of her sons, Grover and Edwin, from the draft.

In the event that she failed or refused to pay the fine by June 13 next Judge Dickinson imposed the alternative sentence of a year and a day in the Federal penitentiary at Atlanta.

The fine, with the same alternative of a year and a day in the Federal prison, was imposed upon two of her codefendants, one her son, Charles F. Braun, and the other former Magistrate James E. Romig. Albert Mitchell and Harry Schuh, also convicted of complicity in the escape of the Bergdoll brothers, were fined \$1,000 each, with the alternative of serving a term of six months.

"How much of the offense of which you are guilty was the act of a fond and foolish mother and how much was due to a base motive, we cannot certainly know," said the Judge to Mrs. Bergdoll.

"Your motive, however, does not affect your guilt, although it may mitigate the punishment. We give you, as the law in its mercy commands us to do, the benefit of the doubt. No one would wish to see a mother sent to jail for merely helping her sons, guilty as they were."

Mrs. Bergdoll heard the sentence and Judge Dickinson's censure unmoved. As she left the court room she was followed by a crowd of men and boys who jeered her. A reporter who waited at her side asked if she intended to pay her fine.

"Never," she asserted. "Never will I pay a fine. Perhaps I shall go to jail. Maybe I would be better off."

Mrs. Bergdoll, despite her vehement assertion that she would not pay her own fine, is expected to provide the funds to pay the fines of all the defendants and thus put an end to the case.

**COMMITTEE SATISFIED  
OF GIBBONEY'S DEATH**

**Expects to Close Hearings in  
Bergdoll Case To-day.**

WASHINGTON, May 17.—The House committee investigating the escape of G. C. Bergdoll, draft dodger, expects to close public hearings to-morrow. It was established to the satisfaction of the committee that D. Clarence Gibboney, counsel for the Bergdolls, and the man who arranged the expedition

to the mountains of Maryland to find the buried treasure, was drowned in Maryland waters last winter. Because of persistent reports that Gibboney was alive on foreign soil, the committee called Dr. William H. T. Collins, a Philadelphia dentist, who declared positively Gibboney was dead.

Gibboney's young son said he knew nothing about the Bergdoll case. He presented a check for \$500, signed by his father soon after the prisoner's escape and made out in the name of Francis D. Weaver, an associate of former Judge John W. Westcott of New Jersey, but he was unable to say for what purpose the money was paid.

Major Bruce Campbell, who defended Bergdoll at his trial by court martial, and who according to previous testimony had suggested to the Bergdolls that Judge Westcott be kept in the background, declared he never heard the Judge's name mentioned and knew nothing of any report that he was counsel for the defense. From the beginning, Judge Westcott has contradicted the testimony of Samuel T. Ansell, former Acting Judge Advocate-General of the Army, and Edward S. Bailey, his law partner, that he also represented the slacker.

## CRIPPLED DECOYS RENT NEWSSTANDS CHEAPLY

La Guardia Moves to Check Imposition on City.

P. H. La Guardia, President of the Board of Aldermen, warned the Sinking Fund Commission yesterday that persons not entitled to special consideration are using needy widows, cripples and wounded service men as decoys to get city leases on news stands at low rates. He introduced a resolution providing that needy and disabled persons now in possession of news stands be permitted to continue their leases at \$1,000 a year, and where such tenants personally conduct the stands that the rental be fixed by the official having jurisdiction.

Commander Frank Pasta, representing the American Legion, urged that the humanitarian viewpoint demanded that the stands be let at reasonable arbitrary figures, rather than by public auction. "I do not think that legislative investigations would take that view," replied Mayor Hylan.

## LEGION WILL FIGHT SARANAC 'FARMS'

Tubercular Ex-Service Men Receive Inadequate Care Under System.

The American Legion, it was announced yesterday, will fight for the abolition of the system under which the United States Public Health Service is permitted to "farm out" tubercular ex-service men to private boarding house keepers at Saranac Lake. An attempt will be made to have the Government rent as many homes as necessary and put them in charge of physicians or nurses directly responsible to the Government.

George S. Wheat, head of a commit-

tee sent to Saranac last week, reported yesterday to the American Legion investigating committee at a meeting in the City Hall that, with a comparatively small expenditure, the Government could provide accommodations and treatment for as many as 1,000 tubercular ex-service men before winter. There are now 250 former soldiers at Saranac suffering from tuberculosis, he said, but of this number only seventy-four have been hospitalized. Those who are not in hospitals, however, are taking care of themselves in most cases out of the \$157 a month which they draw from the Government for total disability.

The ex-soldiers in hospitals, he said, are supposed to be taken care of on the money—from \$1 to \$5 a day—which the Government pays the private contractors for their care and treatment. Wheat said some of these men find their food insufficient and are forced to spend most of their own money to be comfortable.

"There is the case of Miss Helen H. Perry," he said. "She was a nurse in France and contracted tuberculosis. She was sent to the Elk Inn at Saranac, and

last winter when the temperature was five and ten degrees below zero she had to go out and chop her own wood or go cold, despite the fact the Government was paying for her care."

Wheat said that as a result of his investigation he believed the Government could provide accommodations for 1,000 men before October for about \$75,000. There are about 10,000 former soldiers who have tuberculosis, according to the figures announced recently.

"A policy apparently is being pursued," said Wheat, "of discouraging soldiers when they want to go to Saranac, which is admittedly the best place for them. I failed to find any opposition to ex-soldiers going there. In fact, the Saranac Board of Trade has offered the Government a choice of five acres, of 500 or 400 acres each, for the erection of permanent buildings for the care of tubercular patients."

Col. C. W. Wigham, head of the investigating committee, heard the report and questioned Mr. Wheat at length. Then the committee went into executive session to discuss what recommendations to make.

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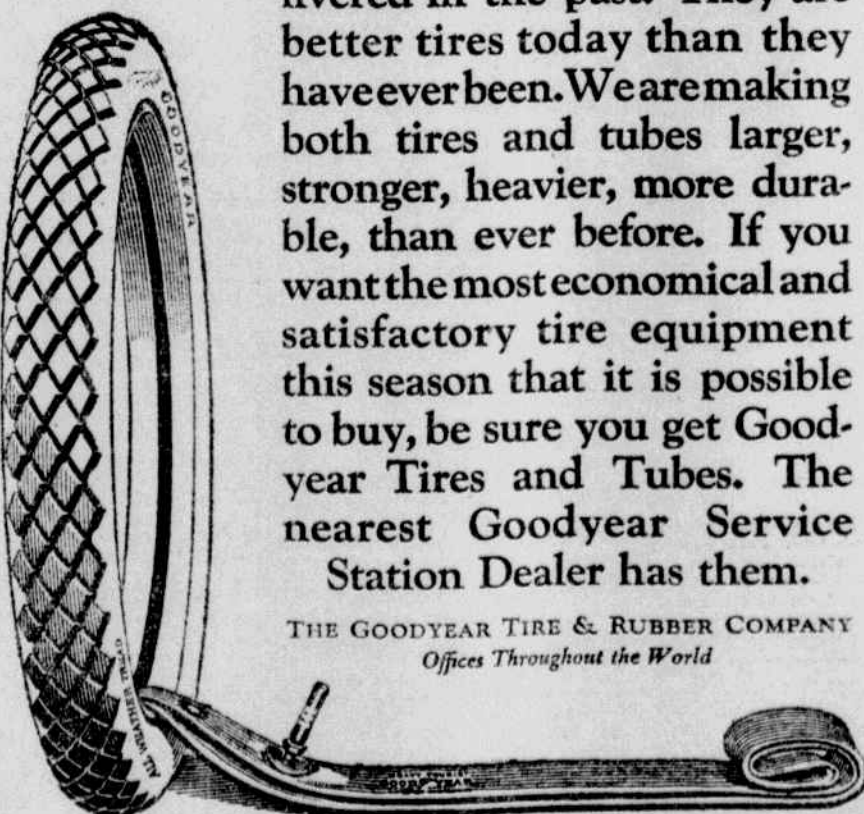
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